

MCGREGOR W. SCOTT  
United States Attorney  
JAMES R. CONOLLY  
Assistant United States Attorney  
501 I Street, Suite 10-100  
Sacramento, CA 95814  
Telephone: (916) 554-2700  
Facsimile: (916) 554-2900

Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
RICARDO SAUCEDA MONTOYA,  
  
Defendants.

CASE NO. 2:19-MJ-154-AC

STIPULATION FOR EXTENSION OF TIME FOR  
PRELIMINARY HEARING PURSUANT TO RULE  
5.1(d) AND EXCLUSION OF TIME

DATE: March 13, 2020  
TIME: 2:00 p.m.  
COURT: Hon. Deborah L. Barnes

Plaintiff United States of America, by and through its attorney of record, Assistant United States Attorney James R. Conolly, and defendant Ricardo Saucedo Montoya, both individually and by and through his counsel of record, Dina Santos, hereby stipulate as follows:

1. The Complaint in this case was filed on September 13, 2019, and defendant first appeared before a judicial officer of the Court in which the charges in this case were pending on February 27, 2020. The court set a preliminary hearing date of March 13, 2020.

2. By this stipulation, the parties jointly move for an extension of time of the preliminary hearing date to March 19, 2020, at 2:00 p.m., before the duty Magistrate Judge, pursuant to Rule 5.1(d) of the Federal Rules of Criminal Procedure. The parties stipulate that the delay is required to allow the defense reasonable time for preparation, and for the government's continuing investigation of the case. The parties further agree that the interests of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

Dated: March 9, 2020

/s/ JAMES R. CONOLLY  
JAMES R. CONOLLY  
Assistant United States Attorney

Dated: March 9, 2020

/s/ DINA SANTOS  
DINA SANTOS  
Counsel for Defendant  
RICARDO SAUCEDA  
MONTROYA

McGREGOR W. SCOTT  
United States Attorney  
JAMES R. CONOLLY  
Assistant United States Attorney  
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RICARDO SAUCEDA MONTOYA,  
  
Defendant.

CASE NO. 2:19-MJ-154-AC

[PROPOSED] FINDINGS AND ORDER  
EXTENDING TIME FOR PRELIMINARY  
HEARING PURSUANT TO RULE 5.1(d) AND  
EXCLUDING TIME

DATE: March 13, 2020  
TIME: 2:00 p.m.  
COURT: Hon. Deborah L. Barnes

The Court has read and considered the Stipulation for Extension of Time for Preliminary Hearing Pursuant to Rule 5.1(d) and Exclusion of Time, filed by the parties in this matter on July 8, 2019. The Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order, demonstrates good cause for an extension of time for the preliminary hearing date pursuant to Rule 5.1(d) of the Federal Rules of Criminal Procedure.

Furthermore, for the reasons set forth in the parties' stipulation, the Court finds that the interests of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The Court further finds that the extension of time would not adversely affect the public interest in the prompt disposition of criminal cases.

THEREFORE, FOR GOOD CAUSE SHOWN:

1. The date of the preliminary hearing is extended to March 19, 2020, at 2:00 p.m.

1           2.       The time between March 13, 2020, and March 19, 2020, shall be excluded from  
2 calculation pursuant to 18 U.S.C. § 3161(h)(7)(A).

3           3.       Defendants shall appear at that date and time before the Magistrate Judge on duty.

4  
5           IT IS SO ORDERED.

6 Dated:   March 10, 2020



DEBORAH BARNES  
UNITED STATES MAGISTRATE JUDGE